



## U.S. FISH AND WILDLIFE SERVICE TRANSMITTAL SHEET

<b>PART</b> 224 FW 1	<b>SUBJECT</b> Performance and Utilization Performance Management System	<b>RELEASE NUMBER</b> FWM 469
<b>ORIGINATING OFFICE</b> Division of Human Resources		<b>DATE</b> November 14, 2005

### EXPLANATION OF MATERIAL TRANSMITTED:

This chapter provides supplemental guidance to managers, supervisors, and employees for implementing the Department of Interior 5-Level performance management system in the areas of mandatory critical elements and the Service reconsideration process.

  
**Deputy**  
**DIRECTOR**

### FILING INSTRUCTIONS:

Remove:

224 FW 1, FWM 434, 11/25/03

Insert:

224 FW 1, FWM 469, 11/14/05

**FISH AND WILDLIFE SERVICE  
PERSONNEL**

**Personnel**

**Part 224 Performance and Utilization**

**Chapter 1 Performance Management System**

**224 FW 1**

**1.1 What is the purpose of this chapter?** This chapter provides supplemental guidance to managers, supervisors, and employees for implementing the Department of the Interior 5-Level Performance Management System in the areas of mandatory critical elements and the Service reconsideration process. The Department's Manual chapter on the Performance Management System (370 DM 430) serves as the official Service policy.

**1.2 What is the authority for this chapter?** The authority for establishing this chapter is 370 DM 430.

**1.3 What are the responsibilities under this chapter?** Responsibilities assigned to employees, rating officials, reviewing officials, and human resources offices are described in 370 DM 430 and are not repeated here. Following are Service-specific responsibilities:

**A. The Assistant Director – Budget, Planning and Human Resources** is responsible for the effective administration of the Performance Management System within the Service.

**B. The Chief, Division of Human Resources**, develops and maintains the Service's performance management operational guidance and provides Servicewide consultation services about performance activities.

**C. Regional Directors, the California/Nevada Operations Office (CNO) Manager, and Assistant Directors**, ensure the proper management and administration of the Performance Management System within their areas of responsibility.

**1.4 Is there a specific, mandatory critical element applicable to all managers and supervisors in the Service?** Yes, performance plans for all supervisors and managers must include a mandatory critical element for Management Excellence. Supervisory/managerial duties must be performed in accordance with regulatory requirements and Service guidance governing the following areas:

**A. Diversity/Equal Employment Opportunity (EEO) Obligation.** The manager/supervisor demonstrates progress toward the goals in the Affirmative Employment Scorecard and a commitment to the prevention and resolution of equal opportunity issues.

**B. Internal management controls.**

**C. Merit systems principles.**

**D. Safety and occupational health obligations.**

**E. Effective performance management.** The manager/supervisor ensures the workforce is deployed and aligned for mission accomplishment, using the Service's workforce planning process and results, along with other performance enhancing tools and techniques.

**F. Effective management of conduct and discipline issues.**

**G. Training and Individual Development Plans (IDP's).** The manager/supervisor annually discusses training needs with staff, reviews and approves IDP's, and provides staff a minimum of 40 hours of continuous learning opportunities in accordance with 231 FW 1 and 2.

**FISH AND WILDLIFE SERVICE  
PERSONNEL**

**Personnel**

**Part 224 Performance and Utilization**

**Chapter 1 Performance Management System**

**224 FW 1**

**1.5 Is there a mandatory critical element for employees with Information Technology (IT) security responsibilities?** Yes, if employees with administrative privileges to applications and systems, such as system administrators, network administrators, database administrators, and programmers meet one or more of the criteria below, a critical element for security controls must be incorporated into their performance plans.

**A. Criteria.**

- (1) Ability to create user accounts and access rights.
- (2) System level access with the ability to alter records or information.
- (3) Ability to start and stop network services and servers.

**B. Critical Element for IT Security Controls.** The employee adheres to all applicable IT security controls (managerial, operational, and technical) in accordance with the Service's IT Security Plan and Security Program as published on the Service intranet, and ensures that they are integrated and/or executed in a way that will result in an acceptable level of risk.

**1.6 Is there a mandatory critical element for managers or supervisors who directly or indirectly supervise employees or contractors with privileged IT access?** Yes, these managers and supervisors must have a critical element for IT security incorporated into their performance plans. The manager or supervisor ensures that:

**A.** Employees with IT security responsibilities are aware of and comply with Federal, Departmental, and Service IT security regulations and policies and understand their responsibility to implement applicable controls.

**B.** Adequate resources are planned, budgeted for, and available to implement applicable security controls.

**C.** Personnel with IT security responsibilities are adequately trained to fulfill those responsibilities and have the appropriate level of background investigation.

**1.7 How does an employee request reconsideration of a summary rating?** When an employee is concerned about the rating given on a particular element, which if changed, will affect the outcome of the rating of record, he/she may request a reconsideration of this rating through the process described below.

**A. Informal Reconsideration Procedure.**

(1) An employee is required to discuss his/her dissatisfaction with the rating official before requesting a formal reconsideration. This discussion must take place within 7 calendar days of the employee's receipt of the Employee Performance Appraisal Form. The employee is entitled to receive a written decision from the rating official within 7 calendar days of the informal reconsideration discussion.

(2) If agreement cannot be reached informally, the employee may proceed to request a formal reconsideration of the rating through his/her servicing Human Resources Office.

**FISH AND WILDLIFE SERVICE  
PERSONNEL**

**Personnel**

**Part 224 Performance and Utilization**

**Chapter 1 Performance Management System**

**224 FW 1**

**B. Formal Reconsideration Procedure.**

(1) To request a formal reconsideration, the employee must send a written request to his/her servicing Human Resources Officer. The employee must send the request within 7 calendar days of receipt of decision of the informal discussion. This request must include the following items:

- (a) A copy of the rating official's written decision on the informal reconsideration.
- (b) Employee's organization, duty station, and telephone number.
- (c) A copy of the annual appraisal for which the employee is requesting reconsideration.
- (d) Specific area(s) or details about the annual appraisal for which the employee is requesting reconsideration.
- (e) If applicable, the identity of the employee's designated representative (name, title, address, and telephone number).
- (f) Supporting facts and documents illustrating why the employee believes the rating is in error.
- (g) A description of what the employee is requesting that the Performance Review Board do.

(2) The servicing Human Resources Officer (HRO) will review the formal request for reconsideration to determine if it is complete and appropriate for acceptance under these procedures.

(a) If the HRO rejects it, the HRO returns the request to the employee with an explanation of the reason(s) for the rejection (e.g., the items above were not addressed in the request for reconsideration, the request was not received in the Human Resources Office within the 7 calendar day timeframe, or the rating in question would not impact the overall rating).

(b) If the HRO accepts it, within 14 calendar days of receipt the HRO refers the request for reconsideration to the Performance Review Board.

**C. Performance Review Board Involvement.**

(1) Composition of the Performance Review Board:

(a) The board is an ad hoc or standing committee that the Regional Director, CNO Manager, the Assistant Director involved, or the Director appoints.

(b) The board should consist of not less than 3 members (normally members should be equal to or higher in grade level than the employee requesting the review and should not have been involved in the reconsideration request).

(c) The rating/reviewing officials may not participate as board members on any employee reconsideration request when the employee is under their jurisdiction, nor may board members occupy a position subordinate to any official who recommended, advised, or made a decision in connection with the appraisal involved.

**FISH AND WILDLIFE SERVICE  
PERSONNEL**

**Personnel**

**Part 224 Performance and Utilization**

**Chapter 1 Performance Management System**

**224 FW 1**

(d) Authority of the board is limited to an impartial reconsideration of the employee dissatisfaction with the rating given on a particular element that would affect the annual rating of record.

(e) The servicing HRO provides technical assistance to the board members.

(2) The board members will:

(a) Review the employee's request.

(b) Consult with the employee, rating official, reviewing official, employee's representative (if applicable), and staff experts as necessary.

(c) Increase the element/summary rating and remove or modify narrative comments, as applicable, or leave summary/element rating and narrative comments unchanged.

(d) Issue a written final decision within 20 calendar days of receipt of the request for review, specifying the basis for the decision.

**1.8 Is there anything an employee may not dispute?** An employee may not dispute:

A. The number or type of performance elements identified for their position.

B. The substance or contents of performance standards, including the objective criteria against which performance is measured.

**1.9 Is the decision made by the board binding?** Yes, the board's decision is final and binding. There is no further right of review in the performance management process.

**1.10 Can timeframes outlined in the reconsideration process be extended?** Yes, we can extend timeframes on a case-by-case basis upon mutual consent of everyone involved. For the formal reconsideration stage, the servicing Human Resources Office must concur.

**1.11 Can an employee's representative be disqualified from the reconsideration process?** Yes, we may disallow an employee's choice of representation because of a conflict of interest, a position held (e.g., the representative is a supervisor, human resources or EEO specialist, attorney of the Federal Government), or the representation will cause an unreasonable cost to the Government.

**1.12 What are the reconsideration procedures for employees covered by a Collective Bargaining Agreement?** Employees covered by a Collective Bargaining Agreement that includes a reconsideration procedure are governed by that procedure as the exclusive method of reconsideration. If reconsideration rights are not provided in a collective bargaining agreement, employees may use the provisions described in this chapter.

**1.13 Are there any additional roles and responsibilities for reviewing officials other than those outlined in 370 DM 430?** No, however, offices may establish additional roles at their discretion.

**1.14 Once a rating official and employee finalize the employee's performance plan, what do they do with it?** The rating official must keep the original and send a copy of the performance plan to the servicing human resources office within 30 days.